

BAKER & HOSTETLER LLP

Jorian L. Rose
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201

Counsel to the Examiner, John J. Carney

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
In re:	:	Chapter 11
	:	
FIRESTAR DIAMOND, INC., <u>et al.</u> ,	:	Case No. 18-10509 (SHL)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----X		

**FIRST MONTHLY STATEMENT OF FEES OF
JOHN L. CARNEY, AS EXAMINER
PURSUANT TO BANKRUPTCY CODE SECTIONS 330 AND 331
FOR THE PERIOD FROM APRIL 19, 2018 THROUGH APRIL 30, 2018**

Name of Applicant:	John L. Carney, Examiner
Authorized to Provide Professional Services to:	Firestar Diamond, Inc. ("Firestar"), Fantasy, Inc. ("Fantasy") and A. Jaffe, Inc. ("Jaffee," and together with Firestar and Fantasy, the "Debtors")
Effective Date of Retention:	April 19, 2018
Period for Which Compensation and Reimbursement is Sought:	April 19, 2018 through April 30, 2018 ("Statement Period")
Objection Deadline:	June 18, 2018
Compensation Sought as Actual, Reasonable and Necessary for Statement Period for all debtors:	\$ 8,968.00

Reimbursement of Expenses Sought as
Actual, Reasonable and Necessary for
Statement Period for all debtors: \$ 0.00

Compensation Payable After Objection
Deadline (80%): \$ 7,174.40

Reimbursement of Expenses Payable
After Objection Deadline (100%) \$ 0.00

TIME SUMMARY BY BILLING CATEGORY
For the Period of April 19, 2018 through April 30, 2018

Billing Category	Total Hours	Total Compensation
Examiner's Time (004)	15.20	\$8,968.00
Total	15.20	\$8,968.00

TIME SUMMARY BY PROFESSIONAL
For the Period of April 19, 2018 through April 30, 2018

Name	Position; Experience	Hourly Rate	Total Hours	Total Compensation
John L. Carney	Partner; admitted in 1990	\$590.00	15.20	\$8,968.00
Total			15.20	\$8,968.00

Attached hereto as **Exhibit A** are contemporaneously maintained time entries for the Statement Period.

In accordance with the *Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code, Bankruptcy Rule 2016 and Local Rule 2016-1 Establishing Procedures for Monthly Compensation and Reimbursement of Expenses of Professionals*, dated March 29, 2018 (the “Interim Compensation Order”) [Docket No. 82], John L. Carney, Examiner (“Examiner”), through his undersigned counsel, hereby submits this first monthly fee statement (the “First Monthly Fee Statement”), seeking compensation for services rendered as Examiner, for the period from April 19, 2018 through April 30, 2018. By this First Monthly Fee Statement, Examiner seeks payment in the amount of \$7,174.40, which is comprised of (i) eighty percent (80%) of the total amount of compensation sought for actual and necessary services rendered during the Statement Period.

NOTICE AND OBJECTION PROCEDURES

Notice of this First Monthly Fee Statement shall be given by email or hand or overnight delivery upon: (a) the Debtors, 592 5th Avenue, 3rd Floor, New York, New York 10036, attn.: Mark Samson, Chief Restructuring Officer; (b) the Debtors’ counsel, Klestadt Winters Jureller Southard & Stevens, LLP, 200 West 41st Street, 17th Floor, New York, New York 10018, attn.: Ian R. Winters and Joseph C. Corneau, and Forchelli Deegan Terrana LLP, 333 Earle Ovington Blvd., Suite 1010, Uniondale, New York 11553, attn.: Gerard R. Luckman; (c) counsel to Israel Discount Bank of New York, Troutman Sanders LLP, 875 Third Avenue, New York, New York 10022 attn.: Brett D. Goodman and Troutman Sanders LLP, 600 Peachtree Street, NE., Suite 3000, Atlanta, Georgia 30308 attn.: Harris B. Winsberg and Matthew R. Brooks; (d) counsel to HSBC Bank USA, LLC, Allen & Overy LLP, 1221 Avenue of the Americas, New York, New York 10020, attn.: Ken Coleman; (e) counsel to any Official Committee of Unsecured Creditors appointed in the Chapter II Cases (the “Committee”), if one is appointed; and (f) the Office of the

United States Trustee, 201 Varick Street, Suite 1006, New York, New York 10014, attn.: Richard Morrissey (each a “Notice Party” and collectively, the “Notice Parties”).

Objections to this First Monthly Fee Statement, if any, must be served upon the Notice Parties, and by hand or overnight delivery upon Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, New York 10111, Attn: Jorian L. Rose, no later than June 18, 2018 at 4:00 p.m. (Prevailing Eastern Time) (the “Objection Deadline”), setting forth the nature of the objection and the specific amount of fees or expenses at issue.

If no objections to this First Monthly Fee Statement are received by the Objection Deadline, the Debtors shall promptly pay Examiner 80% of the fees identified in this First Monthly Fee Statement.

To the extent that an objection to this First Monthly Fee Statement is received on or before the Objection Deadline, the Debtors shall withhold payment of that portion of this First Monthly Fee Statement to which the objection is directed and promptly pay the remainder of the fee percentages set forth above. To the extent such an objection is not resolved, it shall be preserved and scheduled for consideration at the next interim fee application hearing.

RESERVATION OF RIGHTS

Examiner reserves the right to amend the fees sought herein in the event that a subsequent review of Examiner's records reveals that additional professional services were rendered or expenses incurred which were not processed in advance of this First Monthly Fee Statement. In the event such amendments are required, Examiner reserves the right to seek such additional fees or expenses in any subsequent fee applications or monthly fee statements.

Dated: New York, New York
June 1, 2018

BAKER & HOSTETLER LLP

By: /s/ Jorian L. Rose
Jorian L. Rose
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
Email: jrose@bakerlaw.com

Counsel to the Examiner, John J. Carney

EXHIBIT A

TIME/EXPENSE RECORDS

BakerHostetler

John Carney as Examiner in Firestar Diamond
Bankruptcy
Baker & Hostetler LLP
Rockefeller Center
45 Rockefeller Plaza
New York, NY 10111

Invoice Date: 05/21/18
Invoice Number: 50503821
B&H File Number: 08501/111870/000004
Taxpayer ID Number: 34-0082025
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Regarding: Examiner's Time (only to be used by John Carney)

For professional services rendered through April 30, 2018

BALANCE FOR THIS INVOICE DUE BY 06/20/18 \$ 8,968.00

Remittance Copy

Please include this page with payment

Invoice No: 50503821

Firm Contact Information

Christine Fagan
(212) 589-4251
cfagan@bakerlaw.com

Please Remit To:
Baker & Hostetler LLP
P.O. Box 70189
Cleveland, OH 44190-0189

Reference Invoice No:
50503821

FOR WIRE REMITTANCES:
Baker & Hostetler LLP
KeyBank, N.A., Cleveland, OH
Account No: 1001516552 / ABA 041001039
SWIFT Code: KEYBUS33

Email the "Remittance Copy" to
bakerlockbox@bakerlaw.com

BakerHostetler

John Carney as Examiner in Firestar Diamond Bankruptcy
Baker & Hostetler LLP
Rockefeller Center
45 Rockefeller Plaza
New York, NY 10111

Invoice Date: 05/21/18
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Regarding: **Examiner's Time (only to be used by John Carney)**

For professional services rendered through April 30, 2018

Fees

\$ 8,968.00

BALANCE FOR THIS INVOICE DUE BY 06/20/18

\$ 8,968.00

Baker&Hostetler LLP

Atlanta
Houston

Chicago
Los Angeles

Cincinnati
New York

Cleveland
Orlando

Columbus
Philadelphia

Costa Mesa
Seattle

Denver
Washington, DC

John Carney as Examiner in Firestar Diamond Bankruptcy

Invoice Date: 05/21/18
Invoice Number: 50503821
Matter Number: 111870.000004
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Regarding: Examiner's Time (only to be used by John Carney)

Matter Number: 111870.000004

Name	Hours	Rate	Amount
Carney John J	15.20	\$ 590.00	\$ 8,968.00
Total	15.20		\$ 8,968.00

Date	Name	Description	Hours	Amount
04/23/18	Carney John J	Review and analysis of investigative plan and background materials.	3.90	2,301.00
04/24/18	Carney John J	Preparation and interview of [REDACTED].	1.20	708.00
04/24/18	Carney John J	Preparation and interview potential forensic accountants.	2.40	1,416.00
04/24/18	Carney John J	Review and analysis of investigative plan.	3.70	2,183.00
04/30/18	Carney John J	Formulation of investigative plan and background development.	4.00	2,360.00
	Total		15.20	8,968.00

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